

# House File 174 - Introduced

HOUSE FILE \_\_\_\_\_  
BY MAY

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the regulation of smoking in the outdoor areas  
2 of bars and restaurants and on gaming floors.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1774YH 83  
5 pf/nh/5

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1 1 Section 1. Section 142D.3, subsection 2, paragraph b, Code  
1 2 2009, is amended by striking the paragraph.  
1 3 Sec. 2. Section 142D.4, subsection 10, Code 2009, is  
1 4 amended by striking the subsection.  
1 5 EXPLANATION  
1 6 This bill relates to the regulation of smoking in the  
1 7 outdoor areas of bars and restaurants and on gaming floors  
1 8 under the smokefree air Act (Code chapter 142D).  
1 9 Current law prohibits smoking in the outdoor seating and  
1 10 serving areas of restaurants. The bill eliminates this  
1 11 prohibition, allowing smoking in the outdoor areas of  
1 12 restaurants and effectively eliminating any distinction  
1 13 between bars and restaurants under the smokefree air Act.  
1 14 However, under current law, a person in custody or control of  
1 15 either a bar or a restaurant may still declare the outside  
1 16 area of the restaurant or bar that is otherwise exempt from  
1 17 the prohibitions of the Code chapter as a nonsmoking place  
1 18 pursuant to Code section 142D.5.  
1 19 The smokefree air Act prohibits smoking in public places  
1 20 including gambling structures, excursion gambling boats, and  
1 21 racetrack enclosures, with the exception of the gaming floors  
1 22 of premises licensed pursuant to Code chapter 99F (excursion  
1 23 gambling boats and racetracks). The bill eliminates this  
1 24 exception, thereby subjecting the entirety of gambling  
1 25 structures, excursion gambling boats, and racetrack enclosures  
1 26 to the smoking prohibitions of the smokefree air Act.  
1 27 LSB 1774YH 83  
1 28 pf/nh/5.1